
By: **Senators Colburn and Stoltzfus**
Introduced and read first time: January 31, 2003
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Secretary of Natural Resources - Consideration of Information and**
3 **Economic Impact**

4 FOR the purpose of requiring the Secretary of Natural Resources to consider certain
5 information and a certain economic impact in the formulation of certain
6 proposals, decisions, and policies.

7 BY repealing and reenacting, with amendments,
8 Article - Natural Resources
9 Section 1-104(a) and (g)
10 Annotated Code of Maryland
11 (2000 Replacement Volume and 2002 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Natural Resources**

15 1-104.

16 (a) (1) The Secretary is responsible for the development of coordinated
17 policies for the preservation, conservation, enhancement, wise use, and perpetuation
18 of the natural resources of the State. He is responsible for the efficient coordination of
19 all the natural resources activities of the State including the settlement of conflicts
20 that may arise among units within the Department of Natural Resources. In the
21 discharge of his responsibility the Secretary shall:

22 [(1)] (I) Provide a forum of communication among natural resources
23 units and a source of information for the Governor and General Assembly as to the
24 preservation, conservation, development, and use of all the State's natural resources;

25 [(2)] (II) [Study] SUBJECT TO THE REQUIREMENTS UNDER
26 PARAGRAPH (2) OF THIS SUBSECTION, STUDY and evaluate any plan, program, or
27 activity or any combination of plans, programs, or activities within one or more of the
28 units of the Department, and recommend any legislative, budgetary, or

1 administrative changes to provide more effective administration, clarify
2 responsibilities, terminate obsolete programs, establish desirable programs, or alter
3 or amend programs to meet changed or changing conditions;

4 [(3)] (III) Review federal statutes, policies, programs, and activities
5 which affect or may affect natural resources in the State and recommend to federal,
6 State, and local agencies and institutions procedures for the coordination of these
7 programs;

8 [(4)] (IV) Study the natural resources activities of the subdivisions of the
9 State and recommend procedures for coordination of the natural resources activities
10 of the State and its subdivisions;

11 [(5)] (V) Maintain a catalog classified by use, of public land acquired or
12 used in the preservation, conservation, development, management, or enjoyment of
13 the natural resources; review and approve all plans and proposals of the units of the
14 Department for the acquisition of additional land for such purposes, taking into
15 account public land owned and managed for identical or similar purposes by federal
16 agencies and by counties, municipalities, and other political subdivisions of the State;

17 [(6)] (VI) Establish and maintain, for the use of the Department, a
18 natural resources library, cataloged according to a recognized library system and
19 containing legal, scientific, and administrative reports, books, documents,
20 photographs, records, and other information on the natural resources and natural
21 resources administration; and

22 [(7)] (VII) Provide technical assistance to other State units, counties,
23 municipalities, corporations, organizations, groups, and individuals in planning,
24 organizing, and conducting leisure activities and recreation programs.

25 (2) IN THE FORMULATION OF A LEGISLATIVE OR REGULATORY
26 PROPOSAL, A BUDGETARY OR ADMINISTRATIVE DECISION, OR ANY POLICY RELATED
27 TO THE CONSERVATION, MANAGEMENT, OR SUSTAINABILITY OF THE NATURAL
28 RESOURCES OF THE STATE, THE SECRETARY SHALL CONSIDER:

29 (I) THE BEST SCIENTIFIC, ECONOMIC, BIOLOGICAL, AND
30 SOCIOLOGICAL INFORMATION AVAILABLE; AND

31 (II) THE ECONOMIC IMPACT OF THE PROPOSAL, DECISION, OR
32 POLICY IN THE STATE OF MARYLAND.

33 (g) [The] SUBJECT TO THE REQUIREMENTS UNDER SUBSECTION (A)(2) OF
34 THIS SECTION, THE Secretary is responsible for promulgating rules and regulations
35 for the Department. He shall review and have the power to approve, disapprove,
36 issue, or revise the rules and regulations of every unit of the Department.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
38 effect October 1, 2003.